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Docket No. UF-300XC2
Serial No. 10/666,191Remarks

Claims 1-6, 8, 10-12, 14, 20, and 26-29 are pending in the subject application. By this amendment, the applicants have canceled claims 2-6 and 26-29. No new subject matter has been added by this amendment. Accordingly, claims 1, 8, 10-12, 14, and 20 are now before the Examiner for consideration.

The amendments set forth herein should not be interpreted to indicate that the applicants have agreed with, or acquiesced to, the rejections set forth in the outstanding Office Action. Favorable consideration of the claims now presented, in view of the remarks and amendment set forth herein, is earnestly solicited.

As an initial matter, the applicants have deleted the structure between claims 8 and 9.

Claims 1-6, 8, 10-12, 14, and 20 remain provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over the claims of copending Application No. 10/731,528, now U.S. Patent No. 7,186,707 (hereinafter the '707 patent). The applicants respectfully traverse the grounds for this rejection because the '707 patent does not teach or suggest the current claims of the subject application. The applicants respectfully submit that the subject application is directed to the use of steroidal quinols for estrogen replacement therapy. The '707 patent does not teach or suggest the applicants' claimed invention; rather, it is directed to the treatment of ophthalmic disorders. Current claims 10-12 of the subject application do not recite any of the diseases listed in the '707 patent. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

Claims 2-6 remain provisionally objected to under 37 C.F.R. §1.75 as being substantial duplicates of claim 1. The applicants respectfully submit that claims 2-6 are not substantial duplicates of claim 1. However, as noted above, the objection of claims 2-6 is rendered moot in view of the cancellation of these claims. Accordingly, reconsideration and withdrawal of this objection under 37 CFR 1.75 is respectfully requested.

Claims 28 and 29 have been rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. The applicants respectfully traverse this grounds for rejection because a person skilled in this art, having the benefit of the subject application, would

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readily acknowledge that the inventors were in possession of the invention and had adequately disclosed the claimed subject matter. However, in an effort to expedite prosecution, the applicants have canceled claims 28 and 29, thereby rendering moot the rejection of these claims. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. §112, first paragraph, is respectfully requested.

Claim 26 has been rejected under 35 U.S.C. §102(b) as being anticipated by Sedec *et al.* (Tetrahedron Letters, 1983). In addition, claim 28 has been rejected under 35 U.S.C. §102(b) as anticipated by Nali *et al.* (J. Molecular Catalysis, 1987). The applicants respectfully traverse both of these rejections because neither the Sedec *et al.* reference nor the Nali *et al.* reference teach or suggest the currently claimed quinols and pharmaceutical compositions thereof. However, in an effort to expedite prosecution, the applicants have canceled claims 26 and 28, thereby rendering moot the rejection of these claims. Accordingly, the applicants respectfully request reconsideration and withdrawal of this rejection.

Claim 27 has been rejected under 35 U.S.C. §103(a) as being obvious over Sedec *et al.* (Tetrahedron Letters, 1983). In addition, claim 29 has been rejected under 35 U.S.C. §103(a) as being obvious over Nali *et al.* (J. Molecular Catalysis, 1987). As stated above, the applicants respectfully submit that both references fail to teach the pharmaceutical compositions recited in the claims. However, in an effort to expedite prosecution, the applicants have canceled claims 27 and 29, thereby rendering moot the rejection of these claims. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

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In view of the foregoing remarks and amendments, the applicants believe that the currently pending claims are in condition for allowance, and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 CFR §§1.16 or 1.17 as required by this paper to Deposit Account No. 19-0065.

The applicants also invite the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



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